

**Mr. SPEAKER**—There is nothing like that. I will have to act according to the Rules.

**ಶ್ರೀ ಎಚ್.ಟಿ. ಕೃಷ್ಣಪ್ಪ**.—ಮಾನ್ಯ ಸದಸ್ಯರು ಎತ್ತಿದ ಕಿಯಾಲೋಪಕ್ಕೆ ತಾವು ಅಗಲಿ ತಮ್ಮ ಅಭಿಪ್ರಾಯವನ್ನು ವ್ಯಕ್ತ ಮಾಡಿದ್ದೀರಿ. ಅನಿವಾರ್ಯ ಕಾರಣಗಳಿಂದ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಸಭೆಗೆ ಗೆರು ಹಾಜರಿ ಆದರೆ, ಅಂಥದೇ ಪ್ರಶ್ನೆಗಳನ್ನು ನಾಳೆ ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಎಂದು ಹೇಳಲಾಗಿದೆ. ಇದಕ್ಕೆ ತಮ್ಮಿಂದ ಪ್ರತ್ಯೇಕವಾದ ರೋಲಿಂಗ್ ಕೊಠವೇಕಾದ್ದು ಅನುವರ್ತಕ ಎಂದು ನಿನ್ನ ಭಾವನೆ.

೧-೩೦ ಪಿ.ಎಂ.

**ಅಧ್ಯಕ್ಷರು**.—ದಯವಿಟ್ಟು ಎಲ್ಲರೂ ಕುಳಿತುಕೊಳ್ಳಿ. ಇದು ಜೆರೋ ಅಮ್ ಅಂತ ಪ್ರಾರಂಭ ವಾದಾಗಿನಿಂದ ಅದಕ್ಕೆ ಮಂತ್ರಿಗಳೆರವರ ಹೆಸರಿನ ಉತ್ತರ ಕೊಡುವುದಕ್ಕೆ ಕಷ್ಟವಾಗುತ್ತಿತ್ತು. ಆದುದರಿಂದ ಯಾರು ವೀಚಿಯವನ್ನು ರೈಜ್ ಮಾಡಬೇಕೆಂದಿರುತ್ತರೋ ಅಂಥವರು ನೋಟೀಸ್ ಕೊಟ್ಟು ಕಳುಹಿಸಿ ಕೊಟ್ಟರೆ ಅವರಿಗೆ ತೃಪ್ತಿಯಾಗುವ ಉತ್ತರವನ್ನು ದೂರಕೆಳೆ ಕೇಡವೇಕಾದರೆ ಆ ನೋಟೀಸನ್ನು ಮಂತ್ರಿಗಳವರಿಗೆ ಕಳುಹಿಸಿ ಕೊಟ್ಟು ಉತ್ತರವನ್ನು ಇಲ್ಲಿ ಕೊಡಿಸಬೇಕಾಗುತ್ತದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಅವರು ನೋಟೀಸ್ ಕೊಟ್ಟು ರೈಜ್ ಮಾಡುವುದು ಒಳ್ಳೆಯದು. ಅವರ ಪ್ರಕಾರ ನಾವು ಇಲ್ಲಿ ರೂಲ್ ನಂ. ೩೧೨ ಪೋಸಿ ಜರನ್ ಮಾಡುತ್ತಿದ್ದೇವೆ. ಆದುದರಿಂದ ತಾವು ಆ ರೀತಿ ಆಡ್ವಾನ್ಸ್ ಆಗಿ ನೋಟೀಸ್ ಕೊಟ್ಟು ಉತ್ತರ ಕಡೆಯವರು ಒಳ್ಳೆಯ ಸಂಪ್ರದಾಯವೆಂದು ರೋಲಿಂಗ್ ಕೊಡುವುದಕ್ಕೆ ಬಯಸುತ್ತಿದ್ದೇನೆ. ಇನ್ನು ಮಾನ್ಯ ಶ್ರೀ ಲಕ್ಷ್ಮೀನಿ ಗರ್ವರವರು Minister abs nos ಬಗ್ಗೆ ಮತ್ತು Question of privilege against the Chief Minister ಬಗ್ಗೆ considered ರೋಲಿಂಗ್ ಕೊಡಬೇಕೆಂದು ಪ್ರಸ್ತಾವ ಮಾಡಿದ್ದಾರೆ. ಮಾನ್ಯ ಶ್ರೀ ಕೆ. ಹುಮಂತಯ್ಯನವರು ಲೋಕಸಭಾ ಸದಸ್ಯರಾಗಿದ್ದಾಗ ವಿ ನಿರ್ವಹಣೆಗಳು ಗೆರು ಹಾಜರಿ (ಗುವ ಬಗ್ಗೆ ಪಾರ್ಲಿಮೆಂಟ್ ಆಫ್ ಆರ್ಡರ್ ರೈಜ್ ಮಾಡಿದಾಗ ಆಲ್ಟಿಮೇಟ್ ರೋಲಿಂಗ್ ಕೊಟ್ಟಿದ್ದಾರೆ. ಅದು ಸಹ ಒಪ್ಪಿತು. ಇದೆ. ಅಲ್ಲಿಯ ಸ್ಪೀಕರರವರು ಒಪ್ಪಿತು. ಕನ್-ಡ್ ರೋಲಿಂಗ್ ಕೊಟ್ಟಿದ್ದಾರೆ. ಅದೇ ರೀತಿ ಜೂನ್ ೭, ೧೯೭೮ರಲ್ಲಿ ಲೋಕಸಭೆಯಲ್ಲಿ ಇದರ ಬಗ್ಗೆ ರೋಲಿಂಗ್ ಕೊಟ್ಟಿರಲಾಗಿತ್ತು. ನಾನು ಓದಿದ ಮೇಲೆ, ಮಾನ್ಯ ಸದಸ್ಯರ ಫೀಲಿಂಗ್ಸ್ ವಾದೆ ಯುದ್ಧಕ್ಕೆ ಸರ್ಕಾರಕ್ಕೆ ಕನವೆ ಮಾಡಿ. ಆದರೆ ಈ ಸಭೆಯಲ್ಲಿ ಸರಿಯಾದ ಸಮಯಕ್ಕೆ ಹಜರಾಗಿ ಆಲ್ಟಿಮೇಟ್ ಕೇಸಕಾರ್ಯಗಳು ಸಂಪೂರ್ಣವಾಗಿ ಸಮಯ ಹಗಲೆ ವ್ಯಕ್ತ ಮಾಡಲು ಪ್ರಯತ್ನ ಮಾಡುತ್ತೇನೆ. ಅದೇ ರೀತಿ ಈ ಮಾನ್ಯ ಮಂತ್ರಿಗಳವರು ಸಹ ಸಹ ರೆ ಕೊಡುತ್ತಿದ್ದಾರೆ. ಆದುದರಿಂದ ಸರ್ಕಾರದ ಪರವಾಗಿ ಮಾನ್ಯ ಮಂತ್ರಿಗಳವರು ಒಪ್ಪಬಹುದೆಂದು ಕಾಣುತ್ತದೆ.

**ಶ್ರೀ ಬಿ. ಬಸವಲಿಂಗಪ್ಪ**.—ಒಪ್ಪುವ ಮಾತು ಸ್ವಾಮಿ. ಆದನ್ನು ನಾವು ಒಪ್ಪಿದ್ದೇವೆ.

## BUDGET ESTIMATES FOR 1979-80.

### DEMANDS FOR GRANTS

Demand Nos. 31 and 6) (Debate Continued)

**SRI L. G. HAVANUR** (Minister for Law and Social Welfare and Backward Classes) Sir, Yesterday I had moved the resolution on the demands of my two departments viz., the Administration of Justice and Social Welfare. Unfortunately the moment I stand up, whether I speak on the topic relating to the Scheduled Castes/STs and Backward Classes or on the judiciary, invariably I notice some resentment from some section of the people or hon. members parti-

cularly from the Opposition side. It is bound to be there because in the society such as hours where large mass of the population is suppressed, exploited and when.....

SRI A. LAKSHMISAGAR.—I raise a point of order Sir.

SRI L.G. HAVANUR.—I do not yield. I preface my speech replying on these grants ..

SRI A. LAKSHMISAGAR.—The Hon. Minister has cast a reflection on the members. He started by saying "whenever Sri Havanur happens to be here some members express their resentment by going out of the House". This is a reflection on the members of this House. He has cast a reflection on the members of this House.

SRI C. M. ARMUGHAM.—How can a member speak when the Minister has not yielded? It is not a correct procedure to allow a member or members to speak when the Minister has not yielded.

MR. SPEAKER.—That is not correct.

SRI A. LAKSHMISAGAR.—I am raising a point of order.

SRI L.G. HAVANUR.—One cannot disturb me while I am speaking. I protest raising a point of order. There is no point of order.

SRI A. LAKSHMISAGAR.—I request the Chair to give a ruling on the point of order raised by me. My point of order is this: In the opening sentence, the Hon. Minister Sri Havanur said that whenever "I happen to speak in this House, some section of members of this House express their resentment and go out of the House",

SRI L.G. HAVANUR.—This is a calculated addition to my statement. This is a most mischievous way of a lawyer becoming a politician. When I make a reference to the judiciary, they get upset, the reason is \*\*

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SRI A. LAKSHMISAGAR.—This is once again an insinuation which we are not going to tolerate.

SRI L.G. HAVANUR.—I said, judiciary in general.

SRI A. LAKSHMISAGAR.—This is a mischievous attack. We are not interested in any judge but we are here to uphold the dignity of the judiciary.

(Not audible as some members were speaking simultaneously)

ಅಧ್ಯಕ್ಷರು.—ಅನ್‌ಪಾರ್ಟಿಮೆಂಟರಿ ಪದ್ಧತಿಯಲ್ಲಿ ಮಾನ್ಯ ಸದಸ್ಯರು ಇದ್ದರೆ ಪಾರ್ಟಿಯು ಒಪ್ಪಿಗೆ ಮಾಡಿ ಹಳಿ, ಅದನ್ನು ನಾನು ನೋಡಿಕೊಳ್ಳುತ್ತೇನೆ, ಅಂಥಾದ್ದು ಇದ್ದರೆ ಪೂರೈಸಿಡ್‌ಗೆ ತರಿಸಿ ನೋಡಿ ಹಳಿತ್ತೇನೆ.

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\*\*\* Matter expunged as ordered by the Chair.

SRI A. LAKSHMISAGAR.—The Hon. Minister said that

ಅಧ್ಯಕ್ಷರು.—ಯಾವುದಾದರೂ ಪದ ಅನ್ವಾರ್ಥಿಮೆಂಟರಿ ಅಂತ ಕಂಡು ಬಂದರೆ.....

ಶ್ರೀ ಎ. ಲಕ್ಷ್ಮೀಸಾಗರ್.—ಅನ್ವಾರ್ಥಿಮೆಂಟರಿ ಅಂತ ಹೇಳುತ್ತಿಲ್ಲ, ಸ್ವಲ್ಪ ದಯವಿಟ್ಟು ನಾನು ಹೇಳುವುದನ್ನು ಕೇಳಿ.

ಅಧ್ಯಕ್ಷರು.—ಜಡ್ಜ್ ಬಗ್ಗೆ ಅವರು ಏನು ಬೇಕೆ ಮಾಡಿದ್ದಾರೋ ಅದನ್ನು ತೋರಿಸಿಕೊಡಿ.

SRI G S. SHIVANANJAPPA.—Can we speak about the conduct of a judge in this House? Can we comment upon the judges in the House?

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಏನು ಹೇಳಿದ್ದಾರೆಂಬುದನ್ನು ನಾನು ಅಮೇಲೆ ಪೂರೈಸಿಡೀಗ್ಸ್ ಪರಿಸಿ ನೋಡುತ್ತೇನೆ.

SRI L.G. HAVANUR.—Why the hon. members of the opposition so frequently raises objection when I speak about judiciary? First of all I feel that it is my duty being a Minister for Law and Social Welfare, to see that the judges conduct themselves well, to see that the independence of the judiciary is maintained and adequate representation to SC/STs in the judiciary not only in the ministerial staff but also in other categories—are maintained. When the judiciary is reluctant to give adequate representation to SC/STs, being a Minister in charge of the Social Welfare I have got to see that proper representation is secured to them in the judiciary. In this context, some of the vested interests who have occupied high positions, and who on account of their large number, economic and educational advancement, want to come in the way of the law being made in the State, I should tell to this House that deliberately not even a single Member of the opposition opposed the attitude of the Chief Justice in stalling the law passed by both the Houses of Legislature. This House and the Upper House passed that law making reservation for SC/ST in the High Court establishment. But he has come in the way of securing the assent of the Governor.

SRI A. LAKSHMISAGAR.—Sir, I am on a point of order.

SRI L.G. HAVANUR. If they have got guts let them raise the issue. I know the hon. Member has filed a contempt petition against me. I know you are frequently visiting the Houses of Judges.

SRI A. LAKSHMISAGAR.—You are also an un-mitigated senior lawyer...

(Several Members stood up to speak)

\*\*\* Matter not recorded as ordered by the Chair.

MR. SPEAKER.—Don't record.

SRI A. LAKSHMI AGAR.—Sir, the Hon. Minister has made certain accusations against the Chief Justice of the Karnataka High Court. He has said that the Chief Justice has stalled the piece of legislation passed in this House.

SRI L. G. HAVANUR.—I am suggesting to this House to initiate contempt proceedings.

SRI A. LAKSHMISAGAR.—The Hon. Minister is a brave man. But he can't hurl any accusations against anybody.

SRI L. G. HAVANUR.—Did you not take proceedings against me in the Supreme Court.

SRI A. LAKSHMISAGAR.—That is the right given to me. I am not under your mercy. The Hon. Minister should learn this first.

MR. SPEAKER.—If you go out of the subject, I can't permit.

SRI A. LAKSHMISAGAR.—He made direct accusation against the Chief Justice. He accused that the Chief Justice is stalling a piece of legislation passed in this House. This is in direct contravention of Art. 211. It reads thus.

“No discussion shall take place in the legislature of a State with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties”

What he said is a matter which is exclusively within the purview of the Art. 211, which puts a restriction on discussion in the Legislature. The conduct of the Chief Justice of the High Court of any Judge of the Court, cannot be discussed on the floor of the House. It is not open to anybody to accuse the judge in the conduct of his duties. This is in direct contravention of Art. 211. Therefore, you kindly direct the Minister not to make such wild allegations against the Chief Justice.

SRI C. M. ARMUGHAM.—A point has been raised here now. It pertains to the action of the Chief Justice.

What the Minister said is that the Chief Justice of Karnataka High Court prevented assent being given to the Bill passed by both the Houses, The Legislative Assembly and Council. No judge can prevent it. If he comes in the way of it, it amounts to contempt of the House. The Minister says that the Bill was passed in August 1958 and the Chief Justice prevented assent being given to it by the Governor. It amounts to contempt of the House. We cannot question the judiciary. At the same time, the judiciary cannot question the Legislature. We have been given all powers to enact law. Be-



fore it becomes an Act, he has no business to interfere. The very fact he came in the way of getting assent to the Bill amounts to interference in the functions of the Legislature. It amounts to contempt of the House.

MR. SPEAKER.—Sri Lakshmisagar has pointed out that the conduct of the Judges should not be discussed under article 211. What the conduct of a judge is, has to be examined. I shall examine.

SRI L.G. HAVANUR.—Sir, to assist you to define what the conduct of the judge is...

SRI A. LAKSHMISAGAR.—He is not respecting the Chair. He is defying,

SRI L.G. HAVANUR.—Unfortunately, in this House, there are \*\*\*

SRI A. LAKSHMISAGAR.—He cannot use the word \* \* \*

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*(Several Members stood up and began to shout simultaneously)*

MR. SPEAKER.—Don't record. I expunge the word [ \* \* \* ] The word [ \* \* \* \* ] used with reference to any member is insinuation against him. It is an unparliamentary expression.

SRI L. G. HAVANUR.—Last year, when I made my entry into the Legislature—which was the first occasion when I introduced the demands — Mr. Laxmisagar objected in the same manner. Therefore, it is not just yesterday's incident and it is not just to-day's incident. There have been a series of incidents both inside and outside the House, which made me call Mr. Laxmisagar [ \* \* \* \* ] about which I regret and which withdraw. If Mr. Laxmisagar does not do such things.

SRI A. LAKSHMISAGAR.—He is not my mentor. Who is he? He thinks he is a Pallegar. Those days are gone. The worst kind of dictatorship has been thrown out. He is an important man and he is a Minister; afterwards, he is nothing. I have seen him as a Lawyer.

SRI L. G. HAVANUR.—You were my colleague; both of us belong to the same fraternity.

ಅಧ್ಯಕ್ಷರು.—ಮಾನ್ಯ ಲಕ್ಷ್ಮೀಸಾಗರ್‌ರವರೇ ಕುಳಿತುಕೊಂಡು ಮಾತನಾಡಬೇಡಿ.

ಶ್ರೀ ಎ. ಲಕ್ಷ್ಮೀಸಾಗರ್.—ರೂಲಿಂಗ್ ಕೊಟ್ಟಮೇಲೂ ಕೂಡ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಹಳೇ ತೆರೆಯನ್ನು ತೆಗೆಯುತ್ತಿದ್ದಾರೆ.

ಅಧ್ಯಕ್ಷರು.—ಕುಳಿತುಕೊಂಡು ಮಾತನಾಡುವುದು ಸರಿಯಲ್ಲ.

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\*\*\* word expunged as ordered by the Chair.

ಶ್ರೀ ಎ. ಲಕ್ಷ್ಮೀನಾರಾಯಣ.—ಅಪರಾಧಿ ಹೇಳಿ ಮೊದಲು.

SRI B. V. KAKKILAYA.—I have to make a statement. I would only appeal to M. Laxmisagar and all my friends; let him speak. Why do you interrupt him at every sentence? Let us see what he wants to say. If there is anything wrong, the Speaker is there. What is the use of raising at every word? Are we here to sit and watch the drama that is going on here? We are not here to watch the dialogue between Mr. Laxmisagar and the Minister. We want to hear the Minister. The Speaker is there to regulate. I earnestly appeal to the hon. members to be calm.

ಶ್ರೀ ಎ. ಲಕ್ಷ್ಮೀನಾರಾಯಣ.—ನಿಮ್ಮ ಮಾತಿಗೆ ಬೆಲೆ ಇಲ್ಲ.

ಅಧ್ಯಕ್ಷರು.—ನಾನು ಪಾರ್ಲಿಮೆಂಟ್ ಡೆಬೇಟ್ ಮಾಡಿ ಎಂದು ಹೇಳುತ್ತಾ ಇದ್ದೇನೆ. ಪಾರ್ಲಿಮೆಂಟ್ ನಲ್ಲಿ ಹೋಗಿ ಸ್ವಲ್ಪ ಕಲಿತುಕೊಂಡು ಬನ್ನಿ.

ಶ್ರೀ ಎ. ಲಕ್ಷ್ಮೀನಾರಾಯಣ.—ಅಲ್ಲಿ ಹೋಗಿ ಕಲಿತುಕೊಂಡು ಬಂದು, ಅಲ್ಲಿ ಮಾಡುವುದನ್ನು ಬಂದು ದಿನ ಇಲ್ಲಿ ಮಾಡಿದರೆ, ಬಂದು ದಿನ ಇಲ್ಲಿ ಇರುವುದಕ್ಕೆ ಅನುವು ಇಲ್ಲ.

SRI L. G. HAVANUR.—Hon. Member Sri Laxmisagar and I were colleagues. We were best friends. Unfortunately because of our political affiliation to different parties, in the House we sometimes quarrel not on any ideological principles but because of one's own loyalty to a particular party or a particular individual. However, if we cut across these loyalties, possibly Mr. Laxmisagar would co-operate with me in giving a detailed reply to the debate on the demands pertaining to Judiciary and Social Welfare. I expect that Mr. Laxmisagar would not interrupt me as he did last year and as he did this morning.

SRI A. LAKSHMISAGAR.—He is delivering a sermon. I may also deliver a sermon.

SRI B. B. SAYANAK.—I want to make a submission. We have finished half of the demands and in the case of other Ministers, while replying, there were no disturbances but there is lot of disturbance when the Hon. Minister for Law and Social Welfare is replying. Why there is such a hue and cry; it is because he wants to attack the Opposition and the Opposition would also like to give him the same reply.

[MR. CHAIRMAN (SRI H. T. KRISHNAIAH) in the Chair]

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SRI L. G. HAVANUR.—I have never made any attack on the Opposition as such and in fact the Opposition takes objection to my referring to the judiciary. This has been my experience in this August House. I wanted to speak at length about the Judiciary but I shall

confine myself to some of the suggestions made by the hon. Members particularly the members belonging to the SCs and STs and also the Backward Classes about the administration of justice not only in Karnataka but in general. The present legal system is the product of the British system and if one goes through the debates in the Constituent Assembly, you would find that the Constitution was drafted by 6 members, of whom one was a SC, Dr. Ambedkar, who was its Chairman one was a Muslim and the 5 were Brahmins. It is in that context we have got to look to the Constitution and the provision that it contains in the matter of recruitment to the judiciary. The Constituent Assembly also consisted among the named members who were 161, 99 were Hindus and of whom 56 were Brahmins.

SRI B. B. SAYANAK.—This is not necessary.

SRI L. G. HAVANUR.—You prepare a speech for me and I will read it.

SRI B. B. SAYANAK.—We are talking of Secularism but he is giving the figures relating to various cases ....

SRI B. V. KAKKILAYA.—He is calling Nehru, a Brahmin, the leader of his own party. Let him remember it. Let him not raise this question in that communal cause.

MR. CHAIRMAN.—The hon. Member is forgetting his own advice. Some time back, he was giving an advice to Sri Laxmisaagar.....

ಶ್ರೀ ಎಚ್. ಸಿ. ಶ್ರೀಕಂಠಯ್ಯ.—ಬ್ರಾಹ್ಮಣರು ಎಂದು ಹೇಳಿದ ಕೂಡಲೇ ಅವು ಎದ್ದು ನಿಲ್ಲುವವೇ! ಅವರ ಅಭಿಪ್ರಾಯವನ್ನು ಎಂಬುದನ್ನು ಅವು ಪೂರ್ಣವಾಗಿ ತಿಳಿದುಕೊಳ್ಳಿ.

MR. CHAIRMAN.—Let him have his full say in the matter.

SRI L. G. HAVANUR.—I don't know why the members take my speech amiss when I refer to the communal composition of the judiciary. In fact, the demand throughout the country is about the communal representation in the judiciary. Yesterday, almost all the members demanded that there should be communal representation in the judiciary. In that context, I have got to look the social background of the Judges who are there at the helm of affairs, who are to make recruitment both to the judicial posts and also to the non-judicial posts. I have got to satisfy the questions that have been raised by various members. I may not be able to satisfy your question but I have got to satisfy the questions that have been raised by some of the hon. Members who demand that the reservation should be there in judiciary. Now, it is not out of my imagination that I am quoting these things. This is a book written by Rajiv Dhawan of Supreme Court "A Socio-Legal Critique of its Juristic Techniques". On Page 29 30, we find that there have been 58 Supreme Court Judges upto 1976 and out of 58, there were 5 Muslims, 2 Christians, 1 Sikh and

50 Hindus; Out of 50 Hindus, 20 were Brahmins, not one Backward Class, not one SC and not one ST and again of the 14 Chief Justices of the Supreme Court, there were 4 Brahmins Chief Justices, 1 Muslim, and 9 other Hindus and not one Backward Class, not one SC, not one ST and not one Christian. This is the composition of the Supreme Court.

Now about the composition of our High court, as it stands to-day. Out of the total strength of 23, we have 6 Lingayet Judges, 4 Brahmins, 5 Vokkaligas, 1 SC, 1 Coorgi, 1 Jain, 1 Urs, 1 muslim, 1 Weaver, 1 Golla, 1 Balija and no Christian. You know the method of recruitment to the High Court. It is on the recommendation of the Governor, and the Chief Justice of the High Court and on the recommendation of the Chief Justice of India, Supreme Court, the High Court Judges are to be appointed by the President of India. In this composition, can the SCs, STs, the other Backward Classes and minorities like Christians or Muslims, ever hope to get their names recommended is the question with which I am confronted the hon. Member Sri Arumugham, because it was he who was very vocal yesterday and said that in the appointment of so many judges on the High Court Bench, SC members were not selected. It is not in my hands and it is not in the hands of the Government as such; The appointment of the High Court Judges is made mainly by the Chief Justice of the High Court and the Chief Justice of the Supreme Court of India recommendation on the Governor. Quite right. The Chief Justice of the High Court and the Chief Justice of the Supreme Court shall have upper-hand over a tiny Governor.

**SRI H. GANGADHARAN.**—May I know whether the Government has recommended the names of these persons and if recommended, whether the Chief Justice of the High Court or the Supreme Court have turned down the proposal made by the Government?

**SRI L. G. HAVANUR.**—Without making any elaborate statement on the inadequacy of the SCs/STs members on the High Court Bench, I would say the Government as such don't come in the picture. Even if it comes, its role is very much limited. Now about the subordinate judiciary, we have made reservations for the SCs/STs and other backward classes in the matter of recruitment to the post of Munsiffs. Last year, when the recruitment rules relating to the Munsiffs came for an amendment, we took away the powers of appointment from the Public Service Commission and invested that power on a Committee of three Judges of the High Court hoping that they would conform to the reservation rules or the reservation G. O. We amended the rules and empowered the High Court to make appointments of 70 Munsiffs and I remember when hon. Member Sri Arumugham and others

raised this question last year I said I was unable to find fault with the Judges of the High Court because the educated belonging to Scheduled Castes and Scheduled Tribes could not come up to the expectations of the Judges so far as their merit was concerned. However, we are now considering as to whether we can allow the High Court Judges to make appointments in respect of 16 pos'ts plus 25 posts vacancies have now arisen or to ask the Public Service Commission to make appointments of Munsiffs. The matter is under consideration of the Government and I shall assure the hon. Members Sri Arumugham and Sri Y. Ramakrishna, that adequate safeguards will be provided in the rules itself to secure representations of Scheduled Casts, Scheduled Tribes and other Backward Classes. We may request the High Court Committee to conform to the rules of recruitment and also to make reservations for these categories. If they decline or if we are not satisfied with assurances they might give—because last time they did not conform to the rules, So, if we are not satisfied with the assurances that they would give, we may ask the Public Service Commission to make recruitment of Munsiffs, where adequate provisions will be made for Scheduled Castes and other Backward Classes.

So far as Ministerial posts in the Mofussil Courts are concerned, there is reservations for Scheduled Castes and Scheduled Tribes and if the number is not adequate, the fault is not with the Government or with the judiciary, but with that community itself. If the Harijan Community or the Scheduled Community is not in a position to produce sufficient number of qualified candidates to fill the vacancies in the judiciary I would rather request the hon. Members belonging to the Scheduled Castes and Scheduled Tribes to see that higher education is given to the members of their community and see that they are made capable of competing with the advanced sections.

Now, coming to the appointments to be made on the High Court establishment I for one feel that Legislature or the Government can suggest to the Chief Justice under Article 229 to make reservation for Scheduled Castes and other Backward Classes even on the High Court Establishment. Indeed when I was the Chairman of Backward Classes Commission similar controversy arose between Commission and the then Chief Justice Mr. G. K. Govinda Bhat, who decline to make reservation for them on the High Court Establishment. I made a commendation in the report that instead of leaving to the discretion of the Chief Justice, the Legislature should make a law prescribing the reservation for those three categories. It is in pursuance of recommendation of our Commission that we introduced the Bill last year and it was passed by both the Houses and when at a time it was to receive the assent of the Governor we received an

opinion from the Hon'ble Chief Justice that Parliament and the State Legislatures are incompetent to make the law under Article 229. So far as I am concerned I have not yet gone through the opinion of the Chief Justice and I have sought the opinion of the Law Department and I sought the opinion of the Advocate General who say that the Legislature is competent to make a law preserving the reservations under Article 164 of the Constitution in respect of High Court Establishment also. It is for this reason that implementation of the reservation has been delayed and it was not intended to cast aspersions against the Chief Justice, but, before I could complete my sentence unfortunately my learned friend and hon. member of this August House Sri Lakshmisagar apprehending on no grounds that I would criticise the Chief Justice, tried to interrupt. I am extremely sorry. Because of interruptions, Sometimes we lose mood, when sequence is lost, sometimes the Members, sometimes the Ministers also go a little away from the course in which they intended to speak...

A MEMBER.—There is some imbalance...

SRI L. G. HAVANUR.—If there is any imbalance hon. Member Lakshmisagar should have taken objection.

So, Sir, about the reservation I think these replies would satisfy the hon. Members Sri Arumugham and Sri Y Ramakrishna. Sir, we are equally interested in the independence of the judiciary. It is not the concern of the Members alone; it is not the concern of some of the judges alone that the judiciary should be independent. It is the demand of the society and that society has the right to ask the judiciary if it has no independence. It has right to ask the judiciary to be independent in the sense that it should not be influenced by any consideration; that it should not do favour to anybody, that it should be impartial; that it should give judgement in an unbiased way; that it should not be lead by political considerations, and that it should not heed to any pressure, this is expected by the society from the judiciary. But sometimes the judiciary itself gives scope for suspicion of their own bonafides, of their own integrity and of their own credentials. One should not feel that Mr. Havanur is blocking the judiciary. I am equally interested if not more in the dignity of the Courts and in the maintenance of independence of the judiciary. I may quote some instances because they immediately came to my mind wherein Judges gave false date of birth. We are having instances where Chief Justice of the High Court resorted to corruption and acquired property beyond the known means. We have instances of the Judges who have dragged the name of the Acting President of India Sri Jatti and attributed motives to him when the Assemblies were dissolved in Northern India. There are instances

where one Judge of the Allahabad High Court imputed motive to the Chief Justice making allegation of influencing that particular Judge in the election case of Indira Gandhi. We have instance where a particular Chief Justice of Karnataka High Court dragged in the names of two Minister viz. Sri D. K. Naiker and Smt. E. E. Vaz as influencing some Judges. There is a reported case that Justice Tivatia who came here from Punjab indulged in politics. So, the sacredness that we give to the judiciary has now come to be shaken. The confidence that we used to repose in the judiciary has come to be shaken. The moment we say something against a thing which was held sacred, there is bound to be some agitation and dissatisfaction. But when all these things are revealed we cannot hold the judiciary as a sacred thing in the same way as we used to hold it in olden days. This is because the House is also a sacred place. We have come here to render service to the people but this institution also gives scope for some people to enter it who cannot deserve to be legislators. In the same way, the judiciary also as an institution gives scope for the entry of unscrupulous, corrupt, communal and political persons.

**SRI A. LAKSHMISAGAR.**—Sir, there is right royal road of taking action against such Judges under the Constitution. The Hon. Minister is making allegation against a former Chief Justice of the High Court and a Judge of the High Court, namely, Justice Tivatia. They are not here to defend themselves.

**SRI L. G. HAVANUR.**—It is a case decided by the Supreme Court.

**SRI A. LAKSHMISAGAR.**—My submission is that it is better to avoid such references.

**MR. CHAIRMAN.**—Unless an expression he uses is unparliamentary or something which is contrary to the rules, I cannot prevent him from having his say.

**SRI L. G. HAVANUR.**—Having known his sentiments about the judiciary, his love, regard and affection for the judiciary, I shall assure him that I will not say anything which would hurt his feelings. As I said at the outset I am equally interested, if not more, in the independence of the judiciary, in the dispensation of justice. Why does he doubt that I want to denigrate the judiciary. Have I ever aspired for High Court Judgeship or has any member of my family or any member of my community aspired for judgeship?

**MR. CHAIRMAN.**—I would request the Hon. Minister and the Hon. Member that as far as possible discussion on personalities may be avoided.

SRI L. G. HAVANUR.—I am convincing this House and through this August House the people that we cannot expect adequate representation in the judiciary and I am giving the causes. In the 14th Report of the Law Commission about recruitment of Judges it is stated that Judges are appointed on caste, community, political and regional considerations. This is recorded in the report and this finding is based on the evidence given by the then Chief Justice of the Supreme Court, by a Judge of the Supreme Court, by a Judge of the High Court, Members of the Bar Associations, retired Judges, administrators and so on. If a person makes the entry into the judiciary on caste, or communal or political or regional consideration can he be free from such considerations in the matter of dispensation of justice, particularly in cases involving politics or claims of different communities as in the case of Scheduled Castes and Scheduled Tribes or claims of minorities like Muslims and Christians? We cannot expect them to come out of their communal feelings. This is the point I wanted to make.

The then Prime Minister Shri Jawaharlal Nehru said about the dominance of the judiciary on the Parliament and on the Legislature.

“No Supreme court and no judiciary can stand in judgement over the sovereign will of Parliament representing the will of the entire community. If we go wrong here and there it can point it out but in the ultimate analysis where the future of the community is concerned no judiciary can come in the way and if it comes in the way, ultimately, the whole Constitution is a creature of Parliament. But we must respect the judiciary, the Supreme Court and other High Courts in the land. As wise people their duty is to see that in a moment of passion and in a moment of excitement even the representatives of the people do not go wrong. They might. In a detached atmosphere of the court they should see to it that nothing is done that may be against the constitution, that may be against the good of the country, that may be against the community in the larger sense of the term. Therefore, if such a thing occurs they should draw attention to that fact but it is obvious that no court, no system of judiciary can function in the nature of a third House as a kind of third House of connection. So it is important that with this limitation the judiciary should function.”

This attitude of Judges is to be found not only here,



Thomas Jefferson said in 1810 :

“We have long suffered under base prostitution of law to party passions in one judge, and the imbecility of another.”

e has said :

“Our Judges are as honest as othermen, and not more so. They have, with others, the same passions for party, for power, and the privilege of their corps.”

Lenin said : “There are no more reactionary people in the world than judges.”

Theodore Roosevelt said :

“Every time they (judges) interpret contract, property, vested right...they necessarily enact into laws parts of a system of social philosophy.

... The decision of the Court on economic and social questions depend on their economic and social philosophy.”

Charles Sumner has said :

“Judges are but men, and in all ages have shown a fair share of frailty. Alas ! Alas ! The worst crimes of history have been perpetrated under their sanction, the blood of martyrs and patriots, crying from the ground, summons them to judgement.”

What I intend suggesting to the Hon. friend Sri A. Lakshmisagar is that the days of holding the judiciary so sacred, considering the court as a temple, considering a judge as God, have gone because in the Indian context they are drawn from certain classes, they are drawn from certain communities, they are drawn from certain castes they are drawn from certain economic or social classes and when the Judiciary is composed of those classes can we expect justice from them, is the question that is confronting the hon. Member Sri C. M. Armugham and Havanur. Therefore, I am sorry to say that the Government is helpless in securing adequate representation to the SCs/STs in the Judiciary and on the High Court Establishment.

2-30 p.m.

SRI S. S. ARAKERI.—What remedy does the Hon. Minister like to suggest to secure adequate representation to the SCs/STs ?

SRI L. G. HAVANUR.—I am presently unable to lay my hand on a book where it has shown the attitude of castes in India. If I express sympathetic view, for a while you would be with me; if a person

above me comes to you, you will join him and crush me. I am unable to do. It is left to you to secure adequate representation not only in judiciary but in all other departments. You will be my first enemy if I suggest something to you. Therefore, I do not want to suggest anything. It is inherent in the caste system.

**SRI MALLIKARJUNA KHARGE.**—It is a right of the hon. Member to request the Hon. Minister that as long as he holds the portfolio of Social Welfare and Judiciary to give justice to the Scheduled Castes. He cannot deny that.

**SRI S. S. ARAKERI.**—There is no question of creating enmity. It is only a question of getting justice.

**ಚೇರ್ಮನ್.**—ತಮ್ಮ ಅಧಿಕಾರ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಏನು ಮಾಡಬಹುದು ಮತ್ತು ಏನನ್ನು ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲವೆಂದು ಮಾನ್ಯ ಸಚಿವರು ತಿಳಿಸಿರುವರು. ಅದುದರಿಂದ, ಮಾನ್ಯ ಸದಸ್ಯರು ಸಲಹೆ ಏನಾದರೂ ಇದ್ದರೆ ಕೊಡಬಹುದು.

**ಶ್ರೀ ಮಲ್ಲಿಕಾರ್ಜುನ ಖರ್ಗೆ.**—ಹಾಗಲ್ಲ ಮಾನ್ಯ ಸಚಿವರು ಹೇಳಿದ್ದು. “ನಾನು ಈ ಸಮಯದಲ್ಲಿ ರೆವನು ಕುಡುಹಿಡಿಯುವುದಕ್ಕೆ ತಯಾರಿಲ್ಲ, ಏಕೆಂದರೆ ನಿಮಗೆ ಮೇಲಿನ ಜಾತಿಯವರೇನಾದರೂ ಬಂದು ಸಲಹೆ ಮಾಡಿದರೆ, ನೀವೂ ಮತ್ತು ಅವರು ಇಬ್ಬರೂ ಸೇರಿ ನನ್ನ ಮೇಲೆ ಬೀಳುತ್ತೀರಿ” ಎನ್ನುವ ಅಭಿಪ್ರಾಯವನ್ನು ಮಾನ್ಯ ಸಚಿವರು ಕೊಟ್ಟರು. ಈ ದೇಶದಲ್ಲಿ ಇದಲ್ಲಾ ಬಂದಿದ್ದೇ ಹೀಗೆ. ದೇಶಕ್ಕೆ ಸ್ವಾತಂತ್ರ್ಯವನ್ನು ತಂದುಕೊಟ್ಟ ಮಹಾತ್ಮ ಗಾಂಧಿಯವರನ್ನು ಗುಂಡಿಟ್ಟು ಕೊಂದರು. ಹರಿಜನ ಗಿರಿಜನ ಮತ್ತು ಹಿಂದುಳಿದವರಿಗೆ ರಾಜ್ಯಾಂಗದಲ್ಲಿ ರಿಜರ್ವೇಷನ್‌ಗೆ ಅವಕಾಶ ಮಾಡಿಕೊಟ್ಟ ಬಾಬಾ ಸಾಹೇಬ್ ಅಂಬೇಡ್ಕರ್ ಅವರಿಗೆ ನಾಗಪುರದಲ್ಲಿ ಕಪ್ಪುಬಾವುಟ ತೋರಿಸಿದರು.

**ಶ್ರೀ ಎಸ್. ಎಸ್. ಅರಕೇರಿ.**—ಮಾನ್ಯ ಹಾವನೂರ್ ಅವರು ಹೆದರಿಕೊಳ್ಳಬೇಕಾಗಿಲ್ಲ, ನಾವು ಅವರೊಡನಿದ್ದೇವೆ.

**ಚೇರ್ಮನ್.**—ಪ್ರಾಣಾಪಾಯ ಬರುತ್ತಿದೆ ಎಂದು ಅವರು ಹೇಳುತ್ತಿದ್ದಾರೆ, ಸುಮ್ಮನೆ ಏತಕ್ಕೆ ಅವರಿಗೆ ತೊಂದರೆ ಕೊಡುತ್ತೀರಿ ?

**SRI G. B. SHANKAR RAO.**—If I had heard him correctly, he has made a suggestion. A about a year ago a Bill was passed making reservations in Civil Services including the judiciary and the Bill has to get assent of the Governor. If the entire House wants what can an Individual do ? The Hon Minister has done his part of the duty of bringing the legislation before the House and it is held up some where. It is for us to see how it can see the light of the day.

**SRI L. G. HAVANUR.**—Sri S. S. Arakeri and Sri M. Mallikarjuna Kharge wanted me to suggest some solutions as to how they can get representations on the High Court bench and in the sub-ordinate Judiciary also. I have stated earlier so far as sub ordinate judiciary is concerned we have made rules making reservations for them and to give a statutory recognition, we have passed a law last year which is to receive the assent of the Governor, but in the matter of recruitment of the High Court judges and in the matter of recruitment of the High Court establishment. I should say so far as

Article 229 is concerned I disagree with the opinion expressed by the Chief Justice and we shall prevail upon the Governor to give assent to the Bill. It is to be seen whether the Governor would be guided by the opinion expressed by the Chief Justice or by the opinion expressed by our Department and the Advocate-General.

**SRI C. M. ARMUGHAM.**—May I ask for a clarification? Is it the procedure that all Bills passed by both the Houses should be before the Chief Justice for any remark? If not, how is it the file pertaining to the Bill has gone to the Chief Justice and he passed some remarks? Or is it that the Governor asked the opinion of the Chief Justice when the Bill went for his assent?

**SRI L. G. HAVANUR.**—Although I am new comer to the legislature I believe that this is the first time when a Chief Justice of the High Court expressed opinion on the constitutional validity of a Bill passed by both the Houses. In no other cases neither the present Justice nor the previous Chief Justice of Karnataka High Court and in no other State. I believe that such a situation had arisen. My simple answer to the Hon. Chief Justice is, now that law has been made by the Legislature, if anybody questions the validity of the law it is open for the High Court to strike down that particular part of the law which according to them is invalid instead of coming in the way of Government obtaining assent of the Governor. That would have been the proper course. We are passing hundreds of laws and they are being challenged before the High Court and Supreme Court and it is the duty of the Judiciary to uphold the legality or other wise of the law passed. But with utmost respect to the Chief Justice I say he should not have expressed his opinion before this particular law received the assent of the Governor. That is all I can say about the Bill without casting any aspersions or motive on the Chief Justice. It is possible, since the Chief Justice says "It is my absolute power to make appointments and the Legislature cannot make any law prescribing the reservation", his opinion may be correct. It is also possible that the opinion of the Chief Justice is incorrect. Nevertheless as has been stated by Pandit Jawaharlal Nehru the Judiciary should not act as a third Chamber. In that context I quoted Jawaharlal Nehru. It should not sit in judgement on constitutionality of law outside the judicial process. This is what is resented to by me.

**SRI B. V. KAKKILAYA.**—Did the Chief Justice call for the file or was he asked to give his opinion or did he offer his opinion himself without even discussing the matter? What was the procedure followed by the Chief Justice?

SRI L. G. HAVANUR.—There is nothing that goes as a secret either in the Legislature, or Secretariat or High Court. I believe there was a discussion between the Hon'ble Chief Justice and the Hon'ble Chief Minister, and the Hon'ble Chief Minister wanted me to send the Bill to the Hon'ble Chief Justice. Then I sent the Bill with the file, and he expressed his opinion that neither the Parliament much less the State Legislature could make a law. Then I sent the opinion expressed by the Chief Justice for examination to the Law Department, they differed from his opinion, and then I sent it to the Advocate General and he also differed from the opinion of the Chief Justice. I have not yet bestowed thought over it I did not have enough time. I shall examine the opinions expressed by the Chief Justice, our Additional Law Secretary and the learned Advocate General and I shall come to my own conclusion as to whether this Legislature is competent to make reservation or not. As I said earlier, I did not find sufficient time, and therefore I have not studied the Act in depth and the scope of Article 229 ; The powers of the Chief Justice under Article 229 and above all, the needs of the Community whatever might be the opinion of the Judiciary are paramount. In this connection what Pandit Jawaharlal Nehru has said is, 'law has got to be interpreted considering the needs of the country, needs of the community. The needs of the community are adequate representation to all communities in all walks of life'. Those are the demands made by various communities. Legislature is a representative institution drawing people from all areas, from all communities, from all strata. Judiciary also should be a representative institution so that it should have a democratic character. If the Judiciary being an institution in a democracy, is not democratic it cannot serve the needs of democracy. It is precisely the reason why I have been fighting for reservation in the Judiciary not only now but also when Hon'ble Govind Bhatt was the Chief Justice. This is a fight that is being carried on by me against the Judiciary and if some members want to take advantage of the situation and say that Havanur should be punished and that I should be put behind the bars for one year, or two years or even ten years, I do not mind. I shall have the satisfaction of fighting for achieving reservation for those who are incapable of achieving. That shall be my satisfaction even if I die in the Jail.

SRI A. LAKSHMISAGAR.—Sir, is the Hon'ble Minister administering a threat to the Judges of the High Court ?

SRI L. G. HAVANUR.—I do not know what has happened to the hon the Deputy Leader of the Opposition ?

SRI A. LAKSHMISAGAR. —Nothing has happened to me.

SRI C. M. ARMUGHAM. —The Hon'ble Minister is not holding any threat.

MR CHAIRMAN. —He said that he is fighting for a cause !

SRI C. M. ARMUGHAM —This fighting will not be of Sri Havanur alone. Let us all join and fight till we get our representation.

SRI L. G. HAVANUR. —Sir, this is what Dr. Ambedkar said in 1946 having been humiliated by the Members, the orthodox Hindus and some of the Chief Ministers with whom he discussed:

“It is a matter of no small surprise that when the mad dogs of orthodoxy are let loose against a person who has the courage to raise his voice against the so-called Sacred Books of the Hindus, eminent Hindus occupying lofty places, claiming themselves to be highly educated and who could be expected to have no interest and to have a free and open mind become partisans and join the outcry. Even Hindu Judges of High Courts and Hindu Prime Ministers of Indian States do not hesitate to join their kind. They go further. They not only lead the howl against him but even join in the hunt.”

Therefore, I would like to tell my hon. friend Sri Lakshmisagar that if any Member of this august House goes on filing complaints against me, contempt proceedings against me in this very High Court, where I have to fight for securing justice to the SC/STs, I do not mind facing any number of charges in this very High Court.

SRI A. LAKSHMISAGAR. —It is a matter which is sub judice. This is before the High Court. Let not the Minister labour under the delusion that he is the only champion of SC/STs; let him not labour under that mis-apprehension. Let him say whatever he wants to say, but while trying to do so if he were to say anything against the Judiciary I raise my voice in protest.

MR. CHAIRMAN. —He is not expected to go into the merits of the case. that I agree.

SRI A. LAKSHMISAGAR. — He is administering a threat !

MR. CHAIRMAN. —He only said that he is fighting for this particular cause, a good cause, a noble cause and I appreciate it. I think the hon'ble member will also agree with me

SRI A. LAKSHMISAGAR. —But, while doing so, let him not try to tarnish or demolish the very edifice of the Judiciary,

MR. CHAIRMAN.—I do understand that. and if he transgresses his limits I will not allow.

ಶ್ರೀ ಎಸ್. ಎಸ್. ಅರಕೇರಿ.—ಜುಡೀಷಿಯರಿಗೆ ಅವಕಾಶ ಮಾಡಬೇಕೊಂತ ಅವರು ಹೇಳಿಲ್ಲ. ಹರಿಜನ ಗಿರಿಜನರಿಗೆ ನ್ಯಾಯ ದೊರಕಿಸುವ ಸಲುವಾಗಿ ನನ್ನ ಪ್ರಾರ್ಥನೆಯನ್ನಾದರೂ ಇಡುತ್ತೇನೆಂದು ಹೇಳಿದರೆ ಹೊರತು, ಬೇರೇನೂ ಹೇಳಿಲ್ಲ.

ಭೇರೂನ್.—ಅವರು ಹೇಳಿದ್ದು ಅಷ್ಟು.

SRI L. G. HAVANUR.—Sir, about the important measures that our Department has now introduced, I think the discussion on Article 229 reservation to SC/STs in the Judiciary and my reply to the discussion is sufficient. I shall now go to the Civil Services Bill.

Out of the three important bills introduced by my department, one relates to making reservation for the SCs/STs and I made a reference to the said bill just now. I hope to get the assent of the Governor in a short time. The other bill that has been introduced was the Karnataka Free Legal Aid Bill. Sir, in the whole of India this is the first State to make a law providing for legal aid to the weaker section of the community whose annual income is less than Rs. 5,000. Although the Bill is to be passed either in this session or the next one, in 1976 itself when the Constitution came to be amended, and when article 39-A came to be inserted, we constituted a Board under the Chairmanship of Justice E. S. Venkataramaiah and by now we have opened 24 centres throughout the State one in each district and some in industrial areas to render free legal advice to the weaker sections. And when this Bill comes to be passed, ours would be the first State in India to give the Board a statutory recognition.

Now while making a reference to this Bill, it is appropriate that I should read the newly inserted article 39-A of the Constitution. Article 39-A reads thus:

“39A.—The State shall secure that the operation of the legal system promote justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.”

This article contains two parts (1) “the State shall secure the operation of the legal system promotes justice,” the legal system includes judiciary also. Therefore in the securing of justice to the SCs/STs and other weaker section, we shall see that the bill receives the assent of the Governor. We shall see that the composition and the strength of the judiciary shall be altered in such a way that it

shall become representative in character, meaning thereby, it shall give scope for the entry of the SC/STs, minorities and Backward Classes in the judiciary. This is the objective with which we had made the law and we shall strive to secure, as I said before, that the legal system shall promote justice. The other part of the same article says that some of the sections in our society on account of the social system we have and the economic order we have, have been continually deprived of securing justice through courts either because of economic poverty or because of social threats, they are incapable of going to the courts to assert the rights to secure justice. The necessity for starting this Board and passing this bill which the House would pass in the near future is that in our State we have introduced a number of measures by which the social disparities or distances that exist between community and community and between class and class is gradually reducing the distance, may after sometime disappear between groups and groups when we become a classless society. In the same area we want to reduce the economic disparity which exists between castes and communities because one of the objectives of the constitution is that in the matter of securing economic justice, the State should see that it shall not allow concentration of wealth or means of production into the hands of one or two groups. If means of production like the land, capital and other things are allowed to be concentrated, as had been the practice or the order all through, the society would be divided into various exploited groups and a small section which is capable of exploiting all other groups, would be at the top of hierarchy of exploitation, the bottom-most communities would be deprived of economic benefits. Therefore to reduce this economic gap or economic distance or economic disparity between one group and the other, we have seen to it, by introducing land reforms laws, that concentration of wealth in the form of land, the wealth in the form of buildings wealth in the form of Urban lands, shall not be in one or two communities. Therefore there is bound to be a sort of friction between the vested interests who for generations on account of historical reasons occupy entrenched positions, positions of authority, position in social field and economic field, feel afraid of their positions being threatened. So, in the process of this friction between the vested interests, the exploiting class and the exploited classes, the weaker sections are unable to assert their right for want of economic resources. For that purpose the Free Legal Board has been constituted. Formerly Justice Venkata ramaiah was the Chairman and now the present Chief Justice Sri D. M. Chandrasekhar is made the Chairman and there is a Vice Chairman and a number of other lawyers on the Board. Hitherto an amount of Rs. 10 lakhs was the outlay for every year but unfortun-

ately much work was not done and we hope to intensify the work of the Board in the coming few months. And the Bill also intends to constitute an Advisory Council consisting of two judges of the Supreme Court, the Chief Justice of the Karnataka High Court, the Hon. Chief Minister, the Law Minister and I believe the Advocate General. So, when the bill comes to be passed, our State should take pride in saying that we have paved the way for other States to provide similar free legal aid for the weaker section of their respective States.

Equally important legislation that has been introduced is the City Civil Courts Bill. Under this Bill, we shall have a Separate Court for the whole of Bangalore; much of the litigation that goes to the High Court would be avoided. Any number of courts that we constitute in Bangalore, are incapable of disposing of cases, the reasons are many and varied, the cases that go up before the courts in Bangalore are of various types and are of complicated nature. Therefore, as suggested by the High Court, we have prepared the Bill and it is now before the House for its consideration.

Then Sir, the complaint of Mr. Armugham last year was that sufficient number of SC/STs were not available for recruitment for the post of Munsiffs. So, in order to encourage the members of SC/ST and to continue to be in the profession, we have thought of a scheme of granting 500 rupees as stipend to those persons belonging to SC/ST for a period of four years, thus making them eligible to compete for the post of Munsiffs and posts of Asst. Public Prosecutors. Last year we had made that provision only for 17 law graduates and now the number is increased by 26 making the total to 43. We are now selecting law graduates to fill up these remaining 26 vacancies. Besides, providing legal aid to the weaker sections whose annual income is below Rs. 5000 P. A. there is another scheme by which free legal aid is given not only in the District courts but also in High Courts to all Members of the SC/ST irrespective of their annual income. Therefore, I should take pride in saying that our Government excels every other Governments in the matter of providing legal aid, security and economic opportunity to the weaker sections contrary to what our hon. Member Sri Y. Ramakrishna said yesterday. I have yet to find the figures quoted by him and whether it was correct or not and also the source from which he got these figures.

3-00 P. M.

Then much has been spoken about the inconvenience caused to the Munsiffs in the mofussil areas. Firstly, their salary was very meagre and secondly adequate quarters have not been constructed for the Munsiffs in mofussil places and so on and so forth. This year, we



have provided Rs. 8 lakhs for the construction of quarters for Judges, 2 lakhs for the acquisition of lands and Rs. 6 lakhs for the repair and other things. We have also provided 27 lakhs this year as against 16 lakhs provided last year for the construction of court buildings. There was some suggestion from some hon. Member who are practising lawyers, to make provision for the supply of books to the library and furniture. We have ear-marked Rs. 1 lakh 80 thousand for the supply of books to the library and other things. A large amount of Rs. 50,000 is earmarked for the High Court. An amount of Rs. 1 lakh is provided to the District, Civil and Munsiff Courts. An amount of Rs. 30,000 is earmarked exclusively for Criminal courts. Our department has got one more Directorate, i. e. Directorate of Prosecution which advises the police officers in the matter of investigation of criminal cases, filing of charge sheets etc. There are 125 Asst. Public Prosecutors, One Director and 5 Deputy Directors. They are all assisting the police right from the IGP to the constable in the matter of investigation of criminal cases whether minor or major; whether detected or un-detected. They are rendering service and advising the police in the matter of filing charges etc.,

Then, we have got a Directorate of Languages. Hon. Members will welcome when I say that the Government has decided to give option to all the Courts including the District Courts to record the deposition in Kannada and even to give judgements in Kannada. In a day or two, we are likely to issue another order asking Session Courts also to write judgements in Kannada if they are conversant in Kannada. Presently, Kannada has been the language in Munsiff Courts, Magistrates' Courts and in Taluk levels. I believe, that I have replied to all the points raised by hon. Members concerning the administration of justice.

Coming to the Social Welfare Department, many suggestions have been made by Sriyuths Y. Ramakrishna, Chowdiah, Arakeri, C. M. Armugham, Dharam Singh, Basavannappa Bhimanna Khandre Mallikarjuna Kharge, Shankar Rao and others. All the suggestions are more or less concerning to the welfare of the SC/STs and some reference relates to the Backward Class also. I can only assure the august House that whatever suggestions they have made, which appear to be exceedingly good the question is whether they are acceptable by the Government or not. So far as the first suggestion made by Sri Y. Ramakrishna regarding Consultation Committee or Advisory Board consisting of Member of SC/STs so as to advise the Government in the matter of upliftment of SC/STs, I personally feel that it is a good suggestion. I shall get it examined by the Department as to the feasibility, necessity and propriety of having such Board or

Committee when there is already an Advisory Board and Consultative Committee for the welfare of the SC/STs. This does not mean that I reject the suggestion. We shall get it examined the necessity and propriety of such Committee as suggested by hon Member.

Some members said that in the matter of obtaining caste certificates, the Scheduled Castes have to pay something. My information is that it is not correct. Declaration on a plain paper will suffice as to the authenticity of the certificate issued by the concerned officer. Some members said that in view of the increase in the number of atrocities on Harijans, special courts should be established to try exclusively cases relating to the atrocities on Harijans. Unlike North Indian States, where atrocities are being committed, every day, in almost every village, against the members of the Scheduled Castes, Karnataka is a State where atrocities are not being committed on Harijans on the ground of caste. There may be one or two stray instances in a year—some isolated instances—, but I am proud to say that our society is such — the whole community of Karnataka is such — that we have accepted the principle of equality—the doctrine of equality—and though there may be certain occasions where we refuse to give representation to the Harijans in the services, or to give him a seat in preference to some other castes under the reserve quota, we Kannadigas as such do not commit atrocities on Harijans as borne out from the reports that I have received from other States. Therefore, it is a pride in us to say that we have a society where we have given given protection even to the weakest sections like the Scheduled Castes/Scheduled Tribes. So, the question of constituting a special court for the trial of atrocities may not arise in our state. The hon. members yesterday said there were three murders committed recently in Kolar district. On verification, I found that although the victims who died belong to the Harijan community, it is not on ground of caste. There was no atrocity as such; they died on some other account. There was a suggestion that hostels should be designated as general hostels. Some members said that because certain hostels carry the name board as 'Harijan Hostel' or 'Vokkaligar Hostel' discrimination is developed. In olden days when people were 100 per cent illiterate, caste persisted with them and the people practice casteism, though one did not write name of caste. Therefore, it is left to the will of that particular community whether to designate their own hostel by their caste name or not. It involves the question of fundamental rights. Our Constitution has guaranteed the fundamental right of association. Caste is an association and to be a member of caste, is a fundamental right. I have got that fundamental right. Therefore, the suggestion made by Sri Ramakrishna that we should not mention their caste,

names is not acceptable to us. Sir, we have granted lakhs and lakhs of agricultural lands to the Scheduled Castes. We have provided by rules, reservation to the extent of 50% of the land made available as a result of the introduction of Land Reforms and even the forest land. So, in the near future, all the Harijans would get agricultural land for cultivation and they would be rehabilitated. They would become economically independent. They need not depend on the village land lord or the sahukar or the money-lender. Sir, the members suggested that we should instruct the nationalised banks to maintain the ratio of 15 or 3 prescribed. Similar are the suggestions made by the other members and I do not want to take much of the valuable time of this august House. If I have not specifically referred to any of the suggestions, I will look to them and give thought and attention to them and if they are acceptable to the Government, we shall immediately implement them. One important thing which I want to mention is that the hon. member Sri Arumugham presented the report only the other day. The hon. member should not mistake me when I say that I did not closely go through the report, though I glanced through almost all the pages where in the recommendations made by him are indicated. It is one of the important documents on the welfare of the Scheduled Castes/Scheduled Tribes and we find the scholarship and sincerity of the hon. member in the report. On behalf of the Government, I thank the hon. member Sri C. M. Arumugham to have produced such an important document. I shall assure the hon. member that as far as possible, keeping in view the economy and financial aspect, we shall try to implement the recommendations while implementing other schemes.

About the Backward Classes, I would only say that in this year we have increased the number of Hostels by 40, 27 for pre-matric students and 13 for post-matric students. Necessarily there is an increase in the intake capacity of the students. One suggestion was that our Department should have a separate publicity wing highlighting the various measures that we have undertaken for the welfare of SCs, STs, Backward Classes and other Weaker Sections. Their apprehension is that the publications brought out by the information Department does not give sufficient coverage for the news concerning these departments. I think this is a good suggestion because large number of persons are under the wrong impression that although we have done much for the weaker sections—much publicity is not being given and so, we are seriously thinking of.....

SRI S. S. ARAKERI. —No publicity has been given for the last 30 years on the books written by the Journalists and Authors belonging to SCs/STs. I thank the Hon. Minister because he is assuring that the

authors and the journalists belonging to SCs/STs will be given due encouragement in future.

**SRI L. G. HAVANUR.**—I was not on that point. The hon. Member made haste. Perhaps, he is interested in securing orders from the Government for some books which appear to have been published by some members. I am on a point of having our own publication to keep the members of SCs/STs, Backward Classes and other weaker sections informed on what good things we have been doing for them and the measures that we want to undertake to keep them informed of the various measures so that they could avail themselves of all the facilities. So, we are seriously thinking about it and this suggestion of the hon. Member regarding starting a Journal might be acceptable to the Government. The hon. Member Sri Arakeri has suggested that we should encourage writers from SC or irrespective of the caste. I would like to know whether we should encourage SC writers.

**ಶ್ರೀ ಎಸ್. ಎಸ್. ಅರಕೇರಿ.**—ಹರಿಜನ-ಗಿರಿಜನರಲ್ಲೇ ಕೆಲವರು ಗ್ರಂಥಗಳನ್ನು ಬರೆದಿದ್ದಾರೆ. ಅನೇಕ ಪತ್ರಿಕೆಗಳನ್ನು ನಡೆಸುತ್ತಿದ್ದಾರೆ ಗ್ರಾಮಾಂತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ಹರಿಜನ-ಗಿರಿಜನರ ಮೇಲೆ ಅನ್ಯಾಯ-ಅತ್ಯಾಚಾರ ಏನು ನಡೆಯುತ್ತಿದೆ ಅವುಗಳ ಸ್ಪಷ್ಟ ಚಿತ್ರವನ್ನು ಅನೇಕ ವಾರ ಪತ್ರಿಕೆಗಳ ಮೂಲಕವಾಗಿ, ಪುಸ್ತಕ ರೂಪದಲ್ಲಿ ಕಳೆದ ೩೦ ವರ್ಷಗಳಿಂದಲೂ ಡಿಪೋಟ್ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದಾರೆ. ಇಂತಹ ಹರಿಜನ-ಗಿರಿಜನರ ಪತ್ರಿಕಾಕರ್ತರಿಗೆ ಒಂದು ದೃಷ್ಟಿಯಿಂದ ಪೋತ್ಸಾಹ ಕೊಡುವ ಸಲುವಾಗಿ ಸಮಾಜಕಲ್ಯಾಣ ಇಲಾಖೆಯವರು ಇವರು ಬರೆದಂತಹ ಪುಸ್ತಕಗಳನ್ನು ಕೊಳ್ಳುವುದಕ್ಕೆ ವ್ಯವಸ್ಥೆ ಮಾಡಿದರೆ ಇವರಿಗೆ ಒಂದು ಹೊಸ ಬೆಳಕನ್ನು ಚೆಲ್ಲಿದ ಹಾಗೆ ಆಗುತ್ತದೆ. ಗ್ರಾಮಾಂತರ ಪ್ರದೇಶಗಳಲ್ಲಿ ಹರಿಜನ-ಗಿರಿಜನರ ಮೇಲೆ ಆಗುವ ಅನ್ಯಾಯ, ಅತ್ಯಾಚಾರ ಇವುಗಳನ್ನು ಬೇರೆ ಯಾವ ಪತ್ರಿಕೆಗಳೂ ಬರೆಯುತ್ತಿಲ್ಲ. ದಿನ ಪತ್ರಿಕೆಗಳೂ ಬರೆಯುತ್ತಿವೆ ಆದರೂ ಕೂಡ ವಿವರವಾಗಿ ಬರೆಯುತ್ತಿಲ್ಲ. ಆದ್ದರಿಂದ ಇವರಿಗೆ ಒಂದು ಹೊಸ ಉತ್ಸಾಹದ ಬೆಳಕನ್ನು ಚೆಲ್ಲಿಬೇಕೆಂದು ಮಾನ್ಯ ಮಂತ್ರಿಗಳಲ್ಲಿ ಮನವಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

**ಶ್ರೀ ಎಲ್. ಜಿ. ಹಾವನೂರ್.**—ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀಮಾನ್ ಅರಕೇರಿಯವರು ಹಾತ ನಾಡುತ್ತಾ ಯಾರೋ ಒಬ್ಬ ಹರಿಜನ ವರ್ಗಕ್ಕೆ ಸೇರಿದ ಹಾಗೂ ಪತ್ರಿಕಾಕರ್ತರಾದ ಒಳ್ಳೆಯ ಸಾಹಿತಿಗಳಿದ್ದಾರೆ ಎಂಬುದಾಗಿ ಹೇಳಿದರು. ಅದೇ ಕಾಲಕ್ಕೆ ಶ್ರೀಮಾನ್ ದುರ್ಗದ ರಾಜೇಗೌಡರವರು ಒಂದು ದಿನ ದಲಿತರ ಬಗ್ಗೆ ಸಾಹಿತ್ಯವನ್ನು ಪ್ರಕಟ ಮಾಡಿದ್ದಾರೆ. ಅಂತಹ ಪುಸ್ತಕಗಳನ್ನು ಸಮಾಜಕಲ್ಯಾಣ ಇಲಾಖೆಯವರು ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳಿದರು. ಆ ಪುಸ್ತಕಗಳನ್ನು ಕೊಂಡುಕೊಳ್ಳುವುದಕ್ಕೆ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಆಜ್ಞೆ ಮಾಡಿದರು. ಆದರೆ ಸಮಾಜಕಲ್ಯಾಣ ಇಲಾಖೆಯ ನಿರ್ದೇಶಕರಾದ ಶ್ರೀಮಾನ್ ಆರ್ಯಮಿತ್ರರವರು ಕೊಂಡುಕೊಂಡರು ನಾನು ಮಂತ್ರಿ ಪದವಿಯನ್ನು ಸ್ವೀಕಾರ ಮಾಡಿ ೮-೧೦ ದಿವಸಗಳ ನಂತರ ಅವರು ಬರೆದ ಇನ್ನೂ ಎರಡು ಪುಸ್ತಕಗಳನ್ನು ಕೊಳ್ಳಬೇಕೆಂದು ಆಜ್ಞೆ ಮಾಡಿದೆ. ಆದರೆ, ಅನೇಕ ಕಾರಣಗಳಿಂದ ನಾನು ಮಾಡಿದ್ದಂತಹ ಆಜ್ಞೆ ಎಲ್ಲೆಲ್ಲೋ ಹೋಗಿ ಕೊನೆಗೆ ಆ ಪುಸ್ತಕಗಳನ್ನು ಕೊಂಡು ಕೊಳ್ಳುವುದಕ್ಕಾಗಲಿಲ್ಲ. ಅದಕ್ಕೆ ಮಾನ್ಯ ದುರ್ಗದ ರಾಜೇಗೌಡರನ್ನು ವಿರುದ್ಧ ಎಷ್ಟೋ ಬರೆದಿದ್ದಾರೆ. ಹಾವನೂರ್ ಅವರು ತನ್ನ ಎರಡನೇ ಮಗಳನ್ನು ಮತ್ತೊಬ್ಬ ತನ್ನ ಜಾತಿಯವರೇ ಆದಂತಹ ಒಬ್ಬ ಅಧಿ ಕಾರಿಯ ಮಗನಿಗೆ ಕೊಟ್ಟು, ತನ್ನ ಮಗಳನ್ನು ಹರಿಜನರಿಗೆ ಏಕೆ ಕೊಡಲಿಲ್ಲ ? ಬಂಗಿಗಳಿಗೆ ಏಕೆ ಕೊಡಲಿಲ್ಲ ? ಕೋತಿ ಹಿಡಿಯುವವರಿಗೆ ಏಕೆ ಕೊಡಲಿಲ್ಲ ? ಪಕ್ಷಿ ಹಿಡಿಯುವವರಿಗೆ ಏಕೆ ಕೊಡಲಿಲ್ಲ ? ಟೈಬಲ್ ಜಾತಿಗೆ ಸೇರಿಕೊಂಡು ಒಬ್ಬ ದೊಡ್ಡ ವ್ಯಾಪಾರಸ್ಥರ ಹಾಗೆ ದೊಡ್ಡದಾಗಿ ತನ್ನ ಮಗಳ ಲಗ್ನವನ್ನು ಮಾಡಿಬಿಟ್ಟು ಎಂಬುದಾಗಿ ಹೇಳಿದರು. ಆ ರೀತಿ ಮಾಡಬಹುದಾಗಿತ್ತು. ಆದರೆ ಆ ರೀತಿ ಮಾಡುವುದಕ್ಕೆ ನನ್ನಲ್ಲಿ ಹಣ ಇಲ್ಲ. ಇಲ್ಲಿ ಭ್ರಷ್ಟಾಚಾರಕ್ಕೆ ನಾನೂ ಇಳಿದು ಎಲ್ಲರೂ ಮಾಡುವ ರೀತಿಯಲ್ಲಿ ಮಾಡಬಹುದಾಗಿತ್ತು. ಬೆಂಗಳೂರು ನಗರದಲ್ಲಿ ಅನೇಕ ಲಗ್ನಗಳು ನಡೆಯುತ್ತಿವೆ. ಅವುಗಳ ಬಗ್ಗೆ ಮಾನ್ಯ ಕ್ರಾಂತಿಕಾರಿ ಸಾಹಿತಿ ಯಾದಂತಹ ದುರ್ಗದ ರಾಜೇಗೌಡರು ಏಕೆ ಬರೆಯಲಿಲ್ಲ ? ನನ್ನ ಎರಡನೇ ಮಗಳ ಲಗ್ನಕ್ಕೆ ಸಾವಿರಾರು

ಜನರಂ ಬಂದದ್ದು ನಿಜ. ಆವತ್ತು ಅಖಿಲ ಭಾರತ ವಕೀಲರ ಸಮ್ಮೇಳನವನ್ನು ಬೆಂಗಳೂರಿನಲ್ಲಿ ಏರ್ಪಡಿಸಲಾಗಿತ್ತು. ಮತ್ತೆ ಆ ಸಮ್ಮೇಳನಕ್ಕೆ ಸುಪ್ರೀಂ ಕೋರ್ಟಿನ ಶ್ರೇಷ್ಠ ನ್ಯಾಯಾಧೀಶರಾದ ಶ್ರೀಮಾನ್ ಚಂದ್ರಚೌಡ್ ರವರೂ ಬಂದಿದ್ದರು. ಆ ಸಮ್ಮೇಳನವನ್ನು ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಉದ್ಘಾಟನೆ ಮಾಡಬೇಕಾಗಿತ್ತು. ಅವರು ದೆಹಲಿಗೆ ತುರ್ತು ಕೆಲಸದ ಮೇಲೆ ಹೋಗಬೇಕಾಗಿ ಬಂದದ್ದರಿಂದ, ಆ ಸಮ್ಮೇಳನವನ್ನು ಉದ್ಘಾಟನೆ ಮಾಡಬೇಕಾದ ಕೆಲಸವನ್ನು ನನಗೆ ಕೊಟ್ಟರು. ನನ್ನ ವಕೀಲ ಗೆಳೆಯರೂ ಅನೇಕ ಜನರು ಅಲ್ಲಿಗೆ ಬಂದಿದ್ದರು. ಆ ಸಮ್ಮೇಳನಕ್ಕೆ ಶ್ರೀಮಾನ್ ಜೇತ್‌ಮಲಾನಿಯವರೂ ಕೂಡ ಬಂದಿದ್ದರು. ಸಾಮಾನ್ಯವಾಗಿ ಎಲ್ಲರೂ ಹೇಳುವ ಹಾಗೆ ಆಕಸ್ಮಿಕವಾಗಿ ನಾನು ಬೇಗ ಹೋಗಬೇಕಾಗಿದೆ, ಇವತ್ತು ನನ್ನ ಎರಡನೇ ಮಗಳ ಮದುವೆ ಇದೆ, ತಾವು ಬರುವ ಹಾಗಿದ್ದರೆ ಬನ್ನಿರಿ ಎಂಬುದಾಗಿ ಹೇಳಿದ್ದಕ್ಕೆ ಸುಮಾರು ಒಂದು ಸಾವಿರ ವಕೀಲರು ಬಂದರು. ಆ ಸಮ್ಮೇಳನದಲ್ಲಿ ಸುಮಾರು 2500 ಜನ ವಕೀಲರು ಭಾಗವಹಿಸಿದ್ದರು. ಅವರೆಲ್ಲರಿಗೂ ಆವತ್ತಿನ ದಿವಸ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಉಟವನ್ನೂ ಕೂಡ ಏರ್ಪಡಿಸಿದ್ದರು. ಅಂದು ದೆಹಲಿ ಹೈಕೋರ್ಟಿನ ಶ್ರೀಮಾನ್ ದೇಶಪಾಂಡೆಯವರೂ ಕೂಡ ಬಂದಿದ್ದರು. ಸಾವಿರಾರು ವಕೀಲರು ಬಂದದ್ದು ನಿಜ. ಅವರ ಜೊತೆಗೆ ಇನ್ನೂ ಅನೇಕ ನನ್ನ ಮಿತ್ರರೂ ಕೂಡ ನನ್ನ ಮಗಳ ಮದುವೆಗೆ ಬಂದಿದ್ದರು. ಮತ್ತೆ ಇದರಂತೆ ಮತ್ತೊಂದು ವಿಚಾರವನ್ನು ಸಭೆಯ ಗಮನಕ್ಕೆ ತರುತ್ತೇನೆ. ಮಾನ್ಯ ಶ್ರೀ ಎನ್. ಎಸ್. ಕಲ್ಲಣ್ಣನವರ ರವರು ದುರ್ಗದ ರಾಜೇಗೌಡರು ಬರೆದ ಪುಸ್ತಕಗಳನ್ನು ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಆರ್ಡರ್ ಮಾಡಿದ ಮೇಲೆ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ. ಅದೇ ರೀತಿ ಇವರೂ ನನ್ನ ಮಿತ್ರರು ಇವರು ಕೆಲವು ಪುಸ್ತಕಗಳನ್ನು ಬರೆದಿದ್ದಾರೆ, ಅವುಗಳು ನಿಮ್ಮ ಸಮಾಜ ಕಲ್ಯಾಣ ಇಲಾಖೆಗೆ ಅವಶ್ಯಕವಾಗಿ ಬೇಕಾಗುತ್ತವೆ. ಆದ್ದರಿಂದ ಅವರು ಬರೆದಿರುವ ಪುಸ್ತಕಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳಿ, ಎಂಬುದಾಗಿ ನನ್ನ ಜೊತೆ ಮಾತನಾಡಿ ಒಬ್ಬ ವ್ಯಕ್ತಿಯನ್ನು ನನ್ನಲ್ಲಿಗೆ ಕಳುಹಿಸಿಕೊಟ್ಟರು. ಅವರು ಲೈಂಗಿಕ ಸಾಹಿತ್ಯದ ಮೇಲೆ ವಾರ ಪತ್ರಿಕೆ ಹಾಗೂ ಮೂರು ತಿಂಗಳಿಗೊಮ್ಮೆ ಪ್ರಕಟವಾಗುವ ಪತ್ರಿಕೆಗಳನ್ನು ಸೇರಿಸಿಕೊಂಡು ನಾಲ್ಕೈದು ಪುಸ್ತಕಗಳನ್ನಾಗಿ ಮಾಡಿಕೊಂಡು ಬಂದಿದ್ದರು. ನಾನು ಅವರು ಕೊಟ್ಟಂತಹ ಪುಸ್ತಕಗಳಲ್ಲಿ ಒಂದು ಪುಸ್ತಕದ ಮೊದಲನೇ ಪುಟವನ್ನು ನೋಡಿ ಹಾಗೇ ಮುಚ್ಚಿ ಬಿಟ್ಟೆ. ಕಾರಣ ಮಕ್ಕಳು ಯಾರಾದರೂ ನೋಡಿಯಾರು ಎಂದು. ನಾನು ಮಾನ್ಯ ಕಲ್ಲಣ್ಣನವರ ಜೊತೆಯಲ್ಲಿ ಮಾತನಾಡಿ, ಏನು ಸ್ವಾಮಿ ಈ ಪುಸ್ತಕಗಳನ್ನು ಕೊಂಡು ಕೊಳ್ಳಬೇಕೆಂದು ಶಿಫಾರಸ್ಸು ಮಾಡಿ ಕಳುಹಿಸಿದ್ದೀರಲ್ಲಾ; ಎಂಬುದಾಗಿ ಕೇಳಿದ್ದಕ್ಕೆ, ಅವರು ಈ ಗೃನಕಾಲಜಿ ಪುಸ್ತಕಗಳು ಹಾಸ್ಯ ಲಾಗೆ ಉಪಯೋಗವಾಗುತ್ತವೆ, ತೆಗೆದುಕೊಳ್ಳಿ ಎಂಬುದಾಗಿ ಹೇಳಿದರು. ಅದಕ್ಕೆ ನಾನು ಇದರ ಜೊತೆಯಲ್ಲಿ “ನಿರೋಧ”ನ್ನು ಕಳುಹಿಸಿಕೊಂಡಿ ಎಂಬುದಾಗಿ ಹೇಳಿದೆನು. ಈ ರೀತಿ ಎಲ್ಲರೂ ಶಿಫಾರಸ್ಸು ಮಾಡಿ ಪುಸ್ತಕಗಳನ್ನು ತೆಗೆದುಕೊಳ್ಳಬೇಕಾದರೆ, ಹಣ ಎಲ್ಲಿದೆ? ಮತ್ತೆ ಇದರಿಂದ ಹರಿಜನ-ಗಿರಿಜನರೂ ಉದ್ಧಾರವಾಗುವುದಿಲ್ಲ. ಇವುಗಳನ್ನು ಶಿಕ್ಷಣ ಖಾತೆಯವರು ಬೇಕಾದರೆ ಕೊಂಡುಕೊಳ್ಳಬಹುದು. ಏಕೆಂದರೆ ಅವರಲ್ಲಿ ಬೇಕಾದಷ್ಟು ಲೈಬ್ರರಿಗಳಿವೆ.

ಶ್ರೀ ಡಿ. ದೇವರಾಜ ಅರಸ್.— ಇದಕ್ಕೆಲ್ಲಾ ಒಂದು ಸಮಿತಿಯನ್ನು ಬೇಕಾದರೆ ಮಾಡಿಬಿಡಿ;

(MR. SPEAKER in the Chair)

SRI L. G. HAVANUR.— I am extremely thankful to the hon. Members of this House, in particular to the Speaker who have given me this time though there were some interruptions which are so natural when one wants to speak on the judiciary and on the claims of different communities and one cannot speak without hurting the feelings of those who are exploiting some classes. This type of friction is bound to be there and what is being noticed outside this House is also to be found here and I don't find anything strange or I don't find anything wrong with any of the hon. Members when they objected to my making some remarks or suggestions about the judiciary and about the caste system.

It is a natural phenomenon to be found both inside and outside the House and I have absolutely no grievances or prejudices against any Member of this August House. Thank you very much.

ಕುಮಾರಿ ಎಸ್. ಪ್ರಮೀಳ.— ಸ್ವಾಮಿ, ನಾರಾಯಣ ಪೈ ಕಮಿಟಿ ರಿಪೋರ್ಟ್ ಪ್ರಕಾರ ರಿಜಿಸ್ಟ್ರಾರ್, ಲಾ ಸೆಕ್ರೆಟರಿ, ಅಡಿಷನಲ್ ಸೆಕ್ರೆಟರಿ ಮತ್ತು ಲೆಜಿಸ್ಲೇಷನ್ ಸೆಕ್ರೆಟರಿ ಇವರೆಲ್ಲಾ ಸ್ಪೆಷಲ್ ಪೇ ಕಿತ್ತುಹಾಕಬೇಕು ಎಂದು ಅವರ ರೆಕಮೆಂಡೇಷನ್ ಇದ್ದರೂ ಕೂಡ ಅದನ್ನು ಇದುವರೆಗೂ ಏತಕ್ಕೆ ಕಾರ್ಯಗತ ಮಾಡಿಲ್ಲಾ ? ಈ ಬಗ್ಗೆ ಯಾವಾಗ ಸೂಕ್ತಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತೀರಾ ?

ಎರಡನೆಯದಾಗಿ ಈಪೂತ್ತಿನ ದಿವಸ ಸೀನಿಯರ್ ಆಫೀಸರ್ ಆಗಿರುವವರು ಅಡಿಷನಲ್ ಸೆಕ್ರೆಟರಿ ಯಾಗಿದ್ದಾರೆ, ಜೂನಿಯರ್ ಆಫೀಸರ್ ಆಗಿದ್ದವರು ಲಾ ಸೆಕ್ರೆಟರಿಯಾಗಿದ್ದಾರೆ. ಇದು ನ್ಯಾಯವೇ ?

ಮೂರನೆಯದಾಗಿ ಕೋರ್ಟ್ ಬಿಲಿಂಗ್ಸ್ ಮತ್ತು ಜುಡಿಸಿಯರಿ ಆಫೀಸರ್ಸ್ ಕ್ವಾರ್ಟರ್ಸ್ ಗಾಗಿ ೧೬ ಕೋಟಿ ರೂಪಾಯಿಗಳನ್ನು ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಮಂಜೂರು ಮಾಡಿದ್ದರೂ ಕೂಡ, ಆ ದುಡ್ಡು ಬರುವ ಹೊತ್ತಿಗೆ ಪ್ಯಾನಿಂಗ್ ಕಮೀಷನನವರು ಈ ಕರ್ನಾಟಕ ಪ್ರೊಗ್ರೆಸ್ಸಿವ್ ಸ್ಟೇಟ್ ಆಗಿರುವುದರಿಂದ ಅದಕ್ಕೆ ಕೊಡುವುದು ಬೇಡ ಎಂದು ತೀರ್ಮಾನ ತೆಗೆದುಕೊಂಡಿದ್ದಾರಂತೆ. ಈ ಬಗ್ಗೆ ತಾವು ಇದುವರೆಗೆ ಏನೇನು ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡಿದ್ದೀರಿ ? ಮತ್ತು ಯಾವ ರೀತಿಯಾಗಿಯಾದರೂ ಕೂಡ ಕೇಂದ್ರ ಸರ್ಕಾರದೊಂದಿಗೆ ವ್ಯವಹಾರ ನಡೆಸಿ ನಮ್ಮ ಕರ್ನಾಟಕದಲ್ಲಿ ಕೋರ್ಟ್ ಬಿಲಿಂಗ್ಸ್ ಮತ್ತು ಜುಡಿಸಿಯರಿ ಆಫೀಸರ್ಸ್ ಕ್ವಾರ್ಟರ್ಸ್ ಅನ್ನು ಕಟ್ಟುವುದಕ್ಕೆ ಅನುಕೂಲ ಮಾಡಿಕೊಡುತ್ತೀರಾ ?

ನಾಲ್ಕನೆಯದಾಗಿ ಹೊಸದಾಗಿ ಗೌರವಂಟ್ ಪ್ಲೇಡರ್ ಪೋಸ್ಟ್ಸ್ ಲ್ಲಿ ಅನ್ನು ಕ್ರಿಯೇಟ್ ಮಾಡಿದ್ದಾರಂತೆ. ಇದರಲ್ಲಿ ಒಂದನ್ನಾದರೂ ಕೂಡ ಮಹಿಳೆಯರಿಗೆ ಕೊಡುವುದಕ್ಕೆ ತಾವು ದೊಡ್ಡ ಮನಸ್ಸು ಮಾಡುತ್ತೀರಾ ?

SRI L. G. HAVANUR.— Sir, I have no idea of the recommendations made by Justice Narayana Pai regarding Special Pay granted or sanctioned for Secretary, Registrar and other Officers. I will look into that and see whether Special Pay should be given to them or not, whether the Job is onerous or not. Because salary has got to be commensurate with the nature of the duties. So, I will examine that point and see whether Special Pay that is now being paid to the Secretary and the Registrar should continue or not.

3-30 P. M.

Then, the second question the hon. Member has put is that senior is made Additional Secretary and the junior is made Secretary of our Department. Perhaps hon. Member has not seen the seniority list. I would like to tell her first that in the matter of selection for these posts we do not go by seniority. Even so, we have not committed breach of rules of seniority. For information of the hon. Member I should say Sri Alvares had superseded some Members in the judiciary including Mr. Srinivasan, who is the present Law Secretary and others also superseded both Mr. Srinivasan and Mr. Alvares. If we take the length of service in the judiciary Mr. Alvares had superseded Mr. Srinivasan. Considering the services of Sri Srinivasan and when compared to others he is senior to Sri Alvares. Then, where is the question that junior is placed above the senior ?

Nextly, the hon. Member has stated that Central Government has granted Rs. 16 crores for the construction of court buildings and quarters for Judicial Officers. Indeed, we have requested the Central Government to provide us Rs. 17 crores in the Sixth Plan. I think I have committed a mistake in not taking services of Miss Pramila who could have used her good offices with the Janata Government at the Centre in getting sanction. I am sorry. Next time I shall take you and request you to use your good offices. But, unfortunately, for our State the Planning Commission did not sanction the amount. We had asked for atleast Rs. 12 Crores. But they did not grant even one paise.

Regarding fourth point, I should say it is a fact that four Government Pleaders posts have been sanctioned.....

SRI C. M. ARUMUGHAM.— Sir, we have made some observations on the working of the aided Hostels in our State. But the hon. Minister has not touched that point. Sir, in most of the aided hostels proper amenities are not provided for to the inmates. The grants given by the Government is being swallowed by the family members of the management. Therefore, I would like to know what action the Government propose to take against these aided Hostels?

SRI L. G. HAVANUR.— I shall first reply to the last question posed by hon. Member Miss Pramila. I would say I will definitely keep in mind the claims of the lady Advocates if they come up to our expectations and satisfy the legal requirements, We will definitely consider them for the post of Government Pleaders.

Then, Sir, hon. Member Sri Arumugham suggested for taking over of aided hostels. It is rather impracticable and also it is not in the larger interest of the students of the Scheduled Castes. Though we could take over the management of the aided hostels the Government is not in a position to start its own hostels in every place. That is why we are granting some money by way of aid to some of the hostels and if there is any deficit they must raise the money by way of public contribution for the maintenance of the hostels.

SRI C. M. ARUMUGHAM.— I am not suggesting that they should be taken over. What is your control and inspection over them?

SRI D. DEVARAJ URS (Chief Minister).— There is lot of force in what the hon. Member Sri Arumugham says. There lot of complaints against these aided hostels. It is a matter which the government has to seriously think over. At this stage I am not able to say how they should be improved. In some districts we went

to the extent of taking over the management and asking the Deputy Commissioner to run certain hostels. Whether it is possible to take over all the hostels and ask the Deputy Commissioners to manage them is a question which we have to consider carefully. We have also to consider whether it is possible to change the managements if we find them guilty of some of these offences. On the whole it is true that the affairs of these hostels require to be looked into and their management set right.

**SRI QAMARUL ISLAM.**— Not a single man has got loan from the Minorities and Backward Classes Corporation. It has failed to give loans to the minorities since one and a half years.

**SRI L. G. HAVANUR.**— Our experience with the nationalised banks and the working of the Scheduled Castes and Scheduled Tribes Corporation is not happy because whatever little money we had paid to the members of the Scheduled Castes and Scheduled Tribes has remained unrecovered. This scheme is such that we contribute only 20% of the loan amount as margin money with interest at 6% per annum and the remaining 80% has got to be paid by the bank. Though the Corporation intends to have collaboration with various banks, the Corporation and the lending banks are not in a position to go together in the identification of the beneficiaries. If we suggest that he deserves some loan, the bank is not prepared to accept him and advance loan. In this situation we are now thinking how best we could bring about coordination between the Corporation and the banks so that the Corporation could advance loans to the members of the backward classes and minorities.

**MR. SPEAKER.**— I shall now put the Demands to the vote of the House. The question is :

“That the respective sums not exceeding the amounts mentioned in the list of Demands inclusive of the sums granted on account be granted to Government to defray the charges which will come in course of payment during the financial year ending 31st day of March 1980 in respect of Demands Nos 34 and 60.”

*The motion was adopted and the sums were granted  
As ordered by the chair the motion of demands for grants adopted  
by the houses are reproduced below :*

#### DEMAND NO. 34.—ADMINISTRATION OF JUSTICE

“That a sum not exceeding Rs. 6,00,00,000 inclusive of the sum granted ‘on account’ be granted to the Government to defray the



charges which will come in course of payment during the financial year ending 31st day of March 1980 in respect of demand No. 34 'Administration of Justice'.

**DEMAND NO. 60.—SOCIAL SECURITY AND WELFARE**

**(EXCLUDING WOMEN AND CHILDRENS WELFARE)**

"That a sum not exceeding Rs. 29,81,10,000 inclusive of the sum granted 'on account' be granted to the Government to defray the charges which will come in course of payment during the financial year ending 31st day of March 1980 in respect of demand No. 60 'Social Security and Welfare (Excluding Women and children welfare)'

Demand Nos : 4, 6, 23, 24, 31, 32, 35, to 41, 46, 47 and 62.

**MR. SPEAKER.**— We shall now go to the next Demands standing in the name of Chief Minister and the Minister of State for Minor Irrigation. The Hon. Chief Minister may move his Demands.

**SRI D. DEVARAJ URS (Chief Minister).**— Sir, on the recommendation of the Governor, I beg to move :

"That a sum not exceeding Rs. 16,74,64,000 inclusive of the sum granted 'on account' be granted to the Government to defray the charges which will come in course of payment during the financial year ending 31st day of March 1980 in respect of Demand No. 4 'Animal Husbandry and Dairy Development'."

*The question was proposed.*

**MR. SPEAKER.**— The other Demand Nos. 6, 23, 24, 32, 35, 36, 37, 38, 39, 40, 41, 46, 47 and 62 are deemed to have been moved and they are before the House for discussion.

**SRI D. B. CHANDRE GOWDA.**— Sir, on the recommendation of the Governor, I beg to move :

"That a sum not exceeding Rs. 28,00,55,000 inclusive of the sum granted 'on account' be granted to Government to defray the charges which will come in course of payment during the financial year ending 31st day of March 1980 in respect of Demand No. 31. 'Minor Irrigation'."

*The question was proposed.*

**MR. SPEAKER.**— Sri H. Gangadharan will initiate the discussion on these demands.